

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, OCTOBER 10, 2013

Presiding: Mayor Glenn W. Dalling
Meeting Convened at 6:30 p.m.
Prayer: Bruce King
Pledge of Allegiance

Present: Mayor Dalling; Sharon L. Bell, Clerk; Wendy Walker, Treasurer; Councilmembers Bruce King, Lamont Merrill, Vaun Waddell and Burch Drake; Steve Hawkes of Planning & Zoning Commission; Lauren Hales; and Taylor Sylvester.

The mayor asked if there were any corrections to the minutes of the regular meeting held on September 26, 2013. Each councilmember had a copy of said minutes prior to the meeting. It was moved by Councilmember Waddell and seconded by Councilmember King to accept said minutes; motion carried.

Wendy presented the September reconciliation reports for the General Fund. It was moved by Councilmember Drake and seconded by Councilmember Waddell to accept the September reconciliation reports for the General Fund; motion carried. Wendy presented the September reconciliation reports for the Utility Fund. It was moved by Councilmember Waddell and seconded by Councilmember King to accept the September reconciliation reports for the Utility Fund; motion carried.

Wendy presented the current bills in the amount of \$68,472.45. It was moved by Councilmember King and seconded by Councilmember Drake to pay the current bills, together with all regular October bills that have not yet been received; motion carried.

PLANNING & ZONING REPORT: P&Z Chairman Steve Hawkes addressed the council.

River Bend (Calaway) fact finding and introducing the project: Steve reported that Steve Sletner, Terry Mortensen and Jimmy Hayson attended the P&Z meeting on October 3 and presented a proposed layout of the Calaway Ranch property, which was dated in 2007. He said it is not called the Calaway Ranch. They changed it to River Bend Ranch and found out later that that name had been used. At this time they don't know what to name the project. They hope to complete the project in three or four phases, and to start phase 1 next spring by installing sewer and water systems. They plan to drill their own well. They also plan to build an assisted living center, to construct roads and go ahead and complete phase 1 next year. Then a year and a half later they want to be building homes on it. Steve said the proposed roads are unusual and that is intentional. They claim they can get the same amount of homes on this property, but they don't want too many stop signs. Councilmember Waddell pointed out that since the original plan was drawn in 2007, the city has enacted title 10.

This plan will require some rezoning, would require some revisions to title 10 to allow them to make a winding road. City code also does not allow "bay homes." Steve is in favor of

the project and this plan, given where it is located. He also is in favor of there being the kinds of residences in Sugar City in which elderly people can live, with small yards and low maintenance.

EXOTIC HOME/RESIDENCES: At the mayor's request, Steve Hawkes reported that Bob Oliphant wants to build a dome home or a combination of domes to make a home. Steve said we don't have any rules in our city code about not building a home virtually any way a person wants. Bob will draw up some plans and bring them to P&Z. The property is zoned R2 because the lots are so small. If the property needs to be divided, it comes under the subdivision ordinance, which includes design review. You can't have more than two dwelling units if it is only one parcel.

AT&T REQUEST FOR ADDITIONAL MICROWAVE DISHES ON WATER TOWER: The AT&T lease agreements were discussed and the council authorized the mayor to negotiate finances with them, to obtain a scale drawing and plan for an AT&T representative to meet with the council in two weeks.

SIDEWALK IN FRONT OF CITY BUILDING: The mayor reported he has received a couple of bids for the sidewalk. Straight Arrow, Inc. was the low bidder at \$3,200. It has been suggested to have a 9' x 16' heat mat in the sidewalk in front of the entrance and payment drop box so that snow and ice will not accumulate in that area. The bid for the mat installation by Bron Leishman is \$2,800. The total price of the sidewalk improvement then would be \$6,000.

MOTION: It was moved by Councilmember Waddell and seconded by Councilmember Merrill to approve the expenditure of approximately \$6,000 for a new sidewalk in front of the city building, including a heat mat; motion carried.

CITY ELECTION FOR COUNCIL NOVEMBER 5: Sharon reported that the deadline for write-in candidates to file their declaration of intent with the city clerk was October 8, 2013, and no one filed to be a write-in candidate. The municipal election is November 5, 2013.

HOOKUPS TO INTERCEPTOR LINE IN IMPACT AREA: A discussion was had on Justin Maupin's request for hookup to the interceptor line in the impact area. The cost of hookup would be as follows:

Buy into system (16.38 x 12 = 196.56 x 20 years)	\$3,931.20
1-1/4 times regular hookup (2,000)	2,500.00
3/4" meter	278.50
	<u>\$6,709.70</u>

Treatment fee would be a monthly base fee of \$16.38, plus \$3.59 per 1,000 gallons. Madison County Planning and Zoning Chairman Brent McFadden reported to the mayor that if a building is within 500 feet of a sewer line, Eastern Idaho Public Health will not issue a septic permit. Therefore, Mr. Maupin is required to hook to the interceptor line.

STORAGE BUILDING: When the building plan and the architectural plan for the storage building are received, they will need to go before the P&Z commission for design review.

TRI-CITY WASTEWATER AGREEMENT: Our attorney advised the city there are still five years under the old agreement and he felt there was no urgency to sign the new agreement. However, in view of John Millar's request, the council asked Attorney Forsberg to prepare a final

review for the council in order that a decision could be made regarding our request for a new wastewater agreement.

CODE CHANGES: Councilmember King requested that the agenda be amended to include consideration and possible passage of a proposed ordinance entitled, "Parking on Residential Property," on the grounds that it is a pressing matter that Attorney Forsberg approved today.

MOTION TO AMEND AGENDA: It was moved by Councilmember King and seconded by Councilmember Waddell to amend the agenda to include consideration and possible passage of a proposed ordinance entitled, "Parking on Residential Property," on the grounds that it is a pressing matter that Attorney Forsberg approved today; motion carried.

Bruce presented a proposed ordinance, approved by Attorney Forsberg, and said that it relaxes our standards on hardened surfaces in front yards and empowers the City Council to waive those standards in individual cases by special use permit.

ORDINANCE NO. 301:

Councilmember Waddell introduced Ordinance No. 301 entitled:

"AN ORDINANCE REPEALING SECTION 8.6.2M. OF THE SUGAR CITY, IDAHO, CODE AND ALL OTHER CODE SECTIONS, ORDINANCES, OR PORTIONS THEREOF IN CONFLICT HERewith; REPLACING IT WITH A NEW SECTION 8.6.2M.; AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE."

It was moved by Councilmember Waddell and seconded by Councilmember King to waive the reading on three different days and in full and place it upon its final passage. Thereupon the clerk called roll upon said motion.

Those voting aye: Councilmembers King, Merrill, Waddell and Drake

Those voting nay: none

Thereupon, the mayor declared that the motion, having been passed by not less than two-thirds of the council, had been duly carried. It was moved by Councilmember Waddell and seconded by Councilmember King to adopt said ordinance. Thereupon, the clerk called roll upon said motion.

Those voting aye: Councilmembers King, Merrill, Waddell and Drake

Those voting nay: none

Ordinance No. 301 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council, and the clerk was instructed to publish said Ordinance No. 301 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the City of Rexburg, Madison County, Idaho.

ANIMAL ORDINANCE: We received a complaint about horses being in a backyard in town and, with the exception of dogs, wolves, and foxes, there is nothing in our city code specifically about animals. Our only means of recourse is our nuisance regulations. We should ask Attorney Forsberg if the nuisance law is enough to ask the people to remove their horses.

DEPARTMENT REPORTS:

COUNCILMEMBER KING: No report.

COUNCILMEMBER MERRILL:

LEPC: They had an update on the emergency operation plan.

COUNCILMEMBER WADDELL:

Smith Park baseball field: Vaun reported that Little League has asked to use the Smith Park ball diamonds, and he will visit with them.

COUNCILMEMBER DRAKE:

Tree and Beautification Committee: Burch reported that the yards have all been judged. The yard award will be presented at the Christmas party.

MAYOR'S BUSINESS:

New cleaning personnel: The mayor reported that Rachel Distelhorst was hired to clean city hall.

Christmas dinner/activity: The Christmas dinner/activity is scheduled for Thursday, December 19, 2013, at 6:00 p.m.

EXECUTIVE SESSION:

9:00 p.m. It was moved by Councilmember Waddell and seconded by Councilmember Drake pursuant to Idaho Code 67-2345 (1)(a), that we move into executive session to discuss a personnel issue. The mayor called for a roll call vote:

Those voting aye: Councilmembers King, Merrill, Waddell and Drake

Those voting nay: None

Thereupon the mayor declared the motion passed.

9:15 p.m. The executive session ended and the regular council meeting reconvened.

OLD FARM ESTATES: Councilmember Merrill reported that the developers dealing with Mr. Stillman feel he is difficult to work with. They said that they are preparing litigation on the contract that he already signed. The process is ongoing.

Meeting adjourned at 9:16 p.m.

Signed: _____
Glenn W. Dalling, Mayor

Attested: _____
Sharon L. Bell, Clerk